

Order

Michigan Supreme Court
Lansing, Michigan

April 8, 2009

Marilyn Kelly,
Chief Justice

137551

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 137551
COA: 287648
Kent CC: 08-003839-FH

TROY TOD TROSTLE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 8, 2008 order of the Court of Appeals is considered. We DIRECT the Kent County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. The prosecutor shall pay particular attention to the defendant's contention that his sentence constitutes an unjustified upward departure from the sentencing guidelines range.

The application for leave to appeal remains pending.



10401

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 8, 2009

Corbin R. Davis

Clerk